

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING – July 8, 2010
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle *(voting on items 1 – 45, 47 - 66)*

Members: Henry P. Szymanski *(voting on items 1 - 66)*
Georgia M. Cameron *(voting on items 1 – 34, 37 - 66)*
Donald Jackson *(voting on items 1 - 66)*
Martin E. Kohler *(voting on items 1–22, 24–52, 54–59, 61 -66)*

Alt. Board Members: Jose L. Dominguez *(present, voting on items 23, 35–36, 46, 53, 60)*
Leni M. Siker *(present on items 1 - 66)*

START TIME: 4:08 p.m.

END TIME: 10:08 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30462 Special Use	Nikki Russell Nurturing R Kidz 2gether; Lessee Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 3:00 a.m. (the number of children between 9:00 p.m. - 3:00 a.m. may not exceed 20 per shift).	5576 N. 76th St. A/K/A 5570 N. 76th St. 2nd Dist.
Action:		Dismissed	
Motion:		Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
Vote:		4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
Conditions of Approval:		--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	30336 Special Use	Edward Burlakov Lessee Request to occupy the premises as a motor vehicle repair facility.	8302 W. Lisbon Av. 5th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30289 Special Use/ Dimensional Variance	Lee R Shack Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (this is a new operator).	3356 N. Martin L King Jr Dr. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	30338 Special Use/ Use Variance	Gary Waltho Lessee Request to add an outdoor salvage operation and to continue occupying the premises as a motor vehicle repair and storage facility.	7569 N. Teutonia Av. A/K/A 7571 N. Teutonia Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	30486 Special Use	Theresa Boswell Lessee Request to occupy a portion of the premises as a health clinic (mental health services for adolescents and adults).	2266 N. Prospect Av. 520 A/K/A 2266 N. Prospect Av. 509 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	30487 Special Use	Maire E. Mills-Greenya Property Owner Request to continue occupying the premises as a tavern with an outdoor patio.	2417 N. Bartlett Av. A/K/A 2417 A N. Bartlett Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That any additional signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That site illumination for the beer garden must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the beer garden is not used after 10 p.m. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	30414 Special Use	Community Relations-Social Development Commission Lessee Request to continue occupying the premises as a day care center for 37 children per shift (20 children full-day with 2 half-day classes of 17 children each), 3 to 5 years of age, operating Monday - Friday 7:30 a.m. - 5:00 p.m.	2424 W. Wells St. 2430 A/K/A 2424 W. Wells St. 101 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	30432 Special Use	<p>Gurdev Singh Lessee</p> <p>Request to continue occupying the premises as a motor vehicle filling station.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>1254 N. 35th St. A/K/A 1238 N. 35th St. 4th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	30501 Special Use	Milwaukee LGBT Community Center Dave Martin, Operations Manager; Lessee Request to occupy a portion of the premises as a community center.	252 E. Highland Av. A/K/A 1120 N. Market St. 4th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
10	30484 Special Use	Kai Trimble This House is a Home LLC; Lessee Request to continue occupying the premises as a group home for 6 occupants.	4542 N. 84th St. A/K/A 4544 N. 84th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	30461 Use Variance	Sanford and Lynda Mitz Property Owner Request to continue occupying a portion of the premises as a single-family residential dwelling.	1331 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	30506 Special Use	Sallie Thomas Property Owner Request to continue occupying the premises as a day care center for 43 children per shift infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 6:00 p.m.	4031 N. 38th St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	30507 Special Use	Goodwill Industries of Southeastern Wisconsin Inc. Douglas W. Nass; Lessee Request to occupy a portion of the premises as a social service facility (employment resource center).	4610 W. Fond Du Lac Av. A/K/A 4636 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	30375 Special Use	<p>Martina McCloud Lessee</p> <p>Request to occupy the premises as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Sunday 5:30 a.m. to midnight.</p>	<p>2220 W. National Av. A/K/A 2220 A W. National Av. 8th Dist.</p>
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. The floor plan submitted by the applicant reflects a capacity of 30 children. The center may not exceed more than 30 children on-site at any one time or may not exceed the capacity established by the State Department of Children and Families, whichever is less. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	30470 Special Use	Jose Diaz Property Owner Request to continue occupying the premises as a motor vehicle body shop.	2147 S. Muskego Av. A/K/A 2153 S. Muskego Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That all repair work is conducted inside of the building. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That no work or storage of vehicles occurs in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	30493 Special Use	Community Advocates Inc. Joseph L. Volk; Lessee Request to continue occupying the premises as a transitional living facility for 28 occupants.	1615 S. 22nd St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	30497 Special Use	Institute of Technology and Academics Inc. Kulbir Singh; Lessee Request to expand the grade levels from K4 - 6th to K4- 8th grades and to continue occupying the premises as a school for 250 students, operating Monday - Friday 7:30 a.m. - 4:30 p.m.	8940 N. 85th St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the school that identifies the intended use and capacity of each room. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	30435 Special Use	Amedee Michael O'Gorman Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	540 N. Hawley Rd. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the existing storefront windows remain as transparent vision glass and are maintained in an attractive manner.</p> <p>6. That all repair work is conducted inside the building.</p> <p>7. That no work or storage of vehicles occurs in the public right of way.</p> <p>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	30495 Special Use	<p>Ida Williams Property Owner</p> <p>Request to increase the hours of operation from 6:00 a.m. - 11:00 p.m to 6:00 a.m. - midnight and to continue occupying the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Friday.</p>	<p>5509 W. Center St. A/K/A 5507 W. Center St. 10th Dist.</p>
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	30491 Dimensional Variance	Divine Peace Lutheran Church Property Owner Request to continue to allow a freestanding sign that exceeds the maximum allowed display area (allowed 18 sq.ft. / proposed 34.75 sq.ft.).	3203 S. 76th St. A/K/A 3208 S. 77th St. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Hnery Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	30445 Use Variance	Nicholas Anton Property Owner Request to continue occupying a portion of the permitted parking lot for outdoor storage.	717 S. 4th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	30471 Special Use	Day Care Center For Children, Inc. Lessee Request to continue occupying the premises as a day care center for 84 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	647 W. Virginia St. A/K/A 647 W. Virginia St. 200 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	30472 Special Use/ Dimensional Variance	James J Valona Property Owner Request to continue occupying the premises as a rooming house for 11 occupants without the required number of parking spaces (required 6 / proposed 4).	822 W. Scott St. A/K/A 822 W. Scott St. 9 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Syzmanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That the four parking spaces at the rear of the building be made available to the tenants. 6. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.	
24	30473 Special Use	Gerry Felsecker Property Owner Request to continue occupying the premises as a social service facility.	931 W. Madison St. 12th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	30485 Special Use	Francisco Salazar Property Owner Request to occupy the premises as a catering service.	1338 W. Scott St. A/K/A 1134 S. 14th St. 2 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	30498 Dimensional Variance	Pete's Marketplace Inc. Pete Tsitiridis;Property Owner Request to raze the existing building and construct a general retail establishment without the required primary entrance door.	1407 S. Muskego Av. A/K/A 1601 W. Greenfield Av. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the south wall is painted a color that matches the brick façade of the building 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That a landscape plan meeting the intent of city code section 295-405 for Type 'B' landscaping is submitted to the Board of Zoning Appeals. The plan must be approved by the Zoning Administration Group prior to the issuance of any permits. 7. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st. 8. That within 60 days of Board approval of the variance a site plan is submitted to the Board of Zoning Appeals. Specifically, the site plan must provide identifiable pedestrian links to the building's main entrance from W. Bow St. and from W. Greenfield Ave. The site plan must be approved by the Zoning Administration group prior to the issuance of any permits. 9. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30474 Special Use/ Use Variance	Genesis Behavioral Services, Inc. Pauline Ortloff, Director of Operations; Lessee Request to continue occupying the premises as a medical service facility and a transitional living facility for 65 occupants.	2819 N. 32nd St. A/K/A 2807 N. 32nd St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the community advisory committee be retained and that a contact person be available to all interested parties. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	30481 Special Use	Rushdi Hamdan Property Owner Request to continue occupying the premises as a general retail establishment (grocery store).	2401 N. 21st St. A/K/A 2403 N. 21st St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That the storefront windows are retained as clear glass and are maintained in an attractive manner. 6. That signage is limited to a maximum of one (1) sign per street frontage and that each sign shall not exceed 20 square feet. 7. That there be no banner signs. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	30494 Special Use	<p>Ida Williams Prospective Buyer</p> <p>Request to continue occupying the premises as a day care center for 45 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:00 p.m. (this is a new operator).</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the facility does not exceed more than 33 children on-site at any one time in accordance with the capacity established by the State Department of Children and Families. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>3929 W. North Av. 1 A/K/A 3933 W. North Av. 15th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	30496 Special Use	Guardian Angel Child Development Pastor John C. Weatherall; Lessee Request to continue occupy the premises as a day care center for 48 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	1218 W. Walnut St. A/K/A 1214 W. Walnut St. 15th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
31	30499 Special Use	Quincy Johnson Property Owner Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 10:00 p.m. to 6:00 a.m. - 12:00 midnight and to continue occupying the premises as a day care center for 8 children per shift infant to 12 years of age.	3917 W. Galena St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Hnery Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage associated with the day care facility. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	30508 Special Use	Our Next Generation Inc. Robert Dunn;Prospective Buyer Request to occupy the premises as a community center.	3421 W. Lisbon Av. A/K/A 3415 W. Lisbon Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	30479 Special Use	Demi Sellers Prospective Buyer Request to increase the number of children from 139 to 180 per shift and to continue occupying the premises as a day care center for children infant to 12 years of age, operating Monday - Friday 5:00 a.m. - midnight .	3002 W. Silver Spring Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That within the next five years the applicant submits plans, obtains all required permits and installs a sprinkler system in the day care center in accordance with the International Existing Building Code and the National Fire Protection Association. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	30492 Special Use	New Life Academy of Learning Terrell H. Cistrunk;Property Owner Request to continue occupying the premises as a day care center for 72 children per shift infant to 12 years of age, operating Monday -Friday 6:00 a.m. - 6:00 p.m.	3410 W. Silver Spring Dr. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</p> <p>8. That the facility does not exceed 67 children on-site at any one time in accordance with the capacity established by the State Department of Children and Families.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	30177 Special Use	LaShundora McKinney Property Owner Request to occupy the premises as a group home for 6 occupants.	216 E. Brown St. A/K/A 216 A E. Brown St. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
36	29950 Special Use	Cynthia D Johnson Prospective Buyer Request to occupy the premises as a group home for 8 occupants.	4821 W. Burleigh St. A/K/A 4821 W. Burleigh St. 4 7th Dist.
	Action:	Granted 1 yr.	
	Motion:	Hnery Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	30448 Other	Ronald Sherrill Property Owner Request to modify condition #7 of case #30120 requiring "that the applicant erect an opaque fence to physically prohibit traffic from moving through the alley onto and off of the site".	6446 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Syzmanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
38	30475 Special Use	Bobbie Bishop Property Owner Request to continue occupying the premises as a 24 hour day care center for 8 children infant to 12 years of age, operating Monday - Sunday.	6710 W. Courtland Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage associated with the day care facility 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the petitioner reside on the premises. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	30125 Special Use	<p>Sharnita Templer & Jean Templer Kreative Kids CDC;Lessee</p> <p>Request to expand the existing Board approved day care center to the adjacent unit and to increase the number of children from 65 to 81 per shift and the hours of operation from 6:00 a.m. - midnight to 24 hours Monday - Saturday.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Hnery Szymanski moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner agree to work with the Zoning Administration group staff to study the feasibility of remodeling the buildings front façade. Remodeling may include the addition of more storefront windows along the N. 76th St façade. 10. That the petitioner submits plans prepared by an architect, obtains all required permits for conversion of this building and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That the facility does not exceed the capacity established by the State Department of Children and Families. 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	<p>4248 N. 76th St. 1 A/K/A 4248 N. 76th St. 201 2nd Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	30389 Dimensional Variance	Knickerbocker on the Lake Condominium Assoc. Inc. Patricia Yunk, President;Property Owner Request to construct a parking structure that does not meet the minimum required side street setback (required 10 ft. / proposed 0 ft.).	1214 N. Astor St. A/K/A 1220 N. Astor St. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues pertaining to facade & elevation plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>5. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	30385 Use Variance	Wendy & Russell Wasserman Property Owner Request to continue occupying the premises as a three unit residential dwelling.	3044 N. Farwell Av. A/K/A 3046 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.	
42	30395 Special Use	Wisconsin Avenue Properties I, LLC James R. Kleinfeldt;Property Owner Request to raze and rebuild a 150 unit multi-family dwelling that does not meet the minimum required lot area per dwelling/roomer (required 72,000 sq.ft. / proposed 29,725 sq.ft.) and required number of parking spaces (required 108 / proposed 64).	1925 W. Wisconsin Av. A/K/A 1925 A W. Wisconsin Av. 5 4th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	30002 Use Variance	Jacquelyn Boyd and Paige H. Thomas Property Owner Request to occupy the premises as a transitional living facility for 6 occupants.	3001 W. Juneau Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
44	30290 Special Use	Alicia McCovery Lessee Request to continue occupying the premises as a motor vehicle sales, repair and car wash facility.	4735 N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	30209 Special Use	Ewald Sawall Property Owner Request to occupy the premises as an indoor storage facility.	3717 N. 92nd St. A/K/A 3719 N. 92nd St. 104 5th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Syzmanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	30416 Special Use	St. Marcus Lutheran Church Barry Spencer, Parish Administrator;Property Owner Request to occupy the premises as a parking lot.	2205 N. 1st St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on April 8, 2010 is installed within 120 days of occupancy. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
47	30431 Special Use	GRO Family Services Lessee Request to occupy the premises as a social service facility.	2011 W. Capitol Dr. A/K/A 2007 W. Capitol Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	30436 Special Use	Phillip L Dixon Lessee Request to occupy the premises as a tavern.	333 E. Hadley St. A/K/A 321 E. Hadley St. 6th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
49	30355 Special Use	Catherine J. Wendorf Mercantile Thrift Stores, Inc.;Property Owner Request to continue occupying the premises as a second-hand sales facility .	324 W. North Av. A/K/A 2322 A N. 4th St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	30081 Special Use	<p>Jatinder Singh Prospective Buyer</p> <p>Request to continue occupying the premises as a car wash and convenience store (new operator). Granted 5 yrs.</p> <p>Action: Motion: Vote: Conditions of Approval:</p> <p>Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the premises is developed in accordance with the site, facade and landscape plans submitted to the Board on June 2, 2010. 5. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the petitioner take all measures necessary to control litter, loitering, and loud Noise on the premises, including, but not limited to, hiring private personnel if necessary. 9. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 10. That the driveways be reconstructed and parking area configured as shown on the plans submitted. 11. That the applicant does not have outdoor storage or display of products or merchandise. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 14. That the applicant operate the convenience store and car wash as one business and that the car wash is not in operation when the convenience store is closed. 15. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>1845 W. Burleigh St. A/K/A 1839 W. Hopkins . 6th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	30426 Special Use	Milwaukee Materials, LLC Lessee Request to occupy the premises as a facility engaged in the processing and recycling of mined materials.	3282 N. 35th St. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. If any of the existing buildings or natural vegetation that currently screens the premises is removed from the premises, then the premises must be landscaped and screened in accordance with the standards of city code section 295-405 for Type 'F' landscaping. 5. That all dust is controlled on site. 6. That the petitioner comply with regulations regarding loose materials in accordance with the standards of city code section 79-10-4. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
52	30453 Special Use	Dr. Chuck Holloway Human Development Center, Inc.;Property Owner Request to occupy the premises as a group home for 8 occupants.	4129 N. Sherman Bl. A/K/A 4131 N. Sherman Bl. 7th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	30464 Special Use	Arthur Arnstein Lessee Request to occupy a portion of the premises as an outdoor salvage operation (to be operating in conjunction with the metal processing facility on site).	3310 W. Fond Du Lac Av. A/K/A 3330 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Hnery Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscape plans meeting the intent of city code section 295-405 for Type 'F' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That landscaping and screening is installed within 120 days of city approval of the landscape plan and maintained in accordance with the approved landscape plan.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for storage occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That the petitioner provides a paved parking surface for all vehicles and that there is no vehicle parking on unpaved surfaces.</p> <p>8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	30350 Special Use/ Dimensional Variance	Afortunado Ramos Property Owner Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 8 / proposed 5).	2525 W. National Av. A/K/A 2525 A W. National Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
55	30459 Special Use	Javier Baca Property Owner Request to occupy the premises as a parking lot.	1927 W. Mitchell St. A/K/A 1937 W. Mitchell St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner agrees to work with the Department of City Development Planning Administration staff on a revised site plan and landscape plan that provides additional greenspace to the premises. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 5. That landscaping & screening is implemented within 120 days of occupancy 6. That the petitioner constructs the lot in accordance with the approved plan. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	30468 Dimensional Variance	Martin E Valleskey Property Owner Request to construct a garage that exceeds the maximum allowed sidewalk height (allowed 10 ft. / proposed 15 ft.).	1126 S. 26th St. 8th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
57	30480 Special Use	The Salvation Army Tracy Habermehl;Prospective Buyer Request to occupy the premises as a social service facility.	5880 N. 60th St. A/K/A 5888 N. 60th St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	30421 Special Use	Juan Torrijos Property Owner Request to occupy the premises as a parking lot.	1307 S. 15th Pl. 12th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
59	30422 Special Use	Juan Torrijos Property Owner Request to occupy the premises as a parking lot.	1303 S. 15th Pl. 12th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
60	30386 Special Use	Competative Ventures, LLC dba Jersey's Pub & Grill Christina Elliot;Prospective Buyer Request to continue occupying the premises as an outdoor recreation facility (permitted tavern with volleyball court).	4014 S. Howell Av. A/K/A 4024 S. Howell Av. 14th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	30382 Special Use	Paula Young and Willie Jefferson Lessee Request to occupy a portion of the premises as an assembly hall.	3829 W. North Av. A/K/A 2248 N. 39th St. 204 15th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That an employee and/or security personell be on-site during all events. 10. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	30503 Special Use/ Dimensional Variance	Community Advocates, Inc. Joseph L. Volk;Prospective Buyer Request to construct a transitional living facility for 27 occupants that exceeds the maximum allowed front setback (allowed 0 ft. / proposed 26 ft.) and the minimum lot area per dwelling unit (required 36,400 sq.ft. / proposed 18, 000 sq.ft) and with a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.).	3420 W. Lisbon Av. A/K/A 3422 W. Lisbon Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Syzmanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	30356 Special Use	Kimberly Carrington Lessee Request to continue occupying the premises as a general retail establishment (convenience store).	1038 W. Hadley St. A/K/A 1034 W. Hadley St. 15th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
64	30124 Special Use	Dr. Chuck Holloway Property Owner Request to occupy the premises as a school for 80 children 6th - 12th grades, operating Monday - Friday 7:30a.m.- 4:30 p.m.	6833 W. Fond Du Lac Av. A/K/A 6833 W. Fond Du Lac Av. 204 2nd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
65	30258 Special Use	Lamar and Denise Beverly-Davis Property Owner Request to add an emergency residential shelter and social service facility to the Board approved religious assembly hall.	3320 W. Vliet St. 4th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal to Administrative Review. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	30222 Special Use	Doris J. Pinkey, The Power of God FGBC c/o Daughters of the Father Christian Academy; Lessee Request to occupy the premises as a school for 80 students K4 - 8th grades, operating Monday - Friday 6:00 a.m. - 6:00 p.m. and Saturday 9:00 a.m. - 3:00 p.m.	7607 W. Townsend St. A/K/A 3365 N. 76th St. 5th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	


Other Business:

Board member Jackson moved to approve the minutes of the June 17, 2010 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for July 29, 2010.

Board member Szymanski moved to adjourn the meeting at 10:08 p.m.. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS


Secretary of the Board